

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Municipal Administration & Urban Development Department –
Andhra Pradesh Rules for construction and regulation of Multiplex
Complexes, 2007 – Amendments – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT DEPARTMENT

G.O.Ms.No. 342

**Dated: 18.07.2013
Read the following:**

1. G.O.Ms.No.486, MA&UD (M1) Department, Dated: 07.07.2007.
2. From DTCP Lr.Rc.No.10199/12/P, Dated 26.09.2012
3. From the Commissioner, GHMC Lr.No.215/TP5/MCH/HO /2002-05, Dated: 18.10.2012.

ORDER:

Government in the G.O 1st read above, have issued Andhra Pradesh Rules for Construction and Regulation of Multiplex Complexes 2007 applicable to whole of the state of Andhra Pradesh. As per Rule 7.3 (b) of the said rules, no relaxation in the open spaces or transfer of setbacks shall be allowed.

2. Certain representations have been received by the Government requesting for relaxation of set-backs in case of Multiplex Complexes, in lieu of surrendering their land affected in road widening as per Master Plan free of cost to Urban Local Bodies. The representations have been forwarded to concerned sanctioning authorities for their remarks.

3. The Director of Town & Country Planning, Andhra Pradesh Hyderabad, vide letter 2nd read above, has stated that in order to study the feasibility and examine the suggestions for relaxing the setbacks in case of multiplexes where land is given by the applicants free of cost for road widening, it is necessary to obtain the views from Traffic Police, Fire Services Department and also officials from Hyderabad Metropolitan Development Authority, Hyderabad, and Greater Hyderabad Municipal Corporation, Hyderabad to arrive at a general policy.

4. The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad, vide his letter 3rd read above has informed the Government that, since Multiplex Complexes generate heavy traffic which needs sufficient open space for free circulation of visitors and for movement of vehicles, the minimum setback provisions for Multiplex Complexes are prescribed vide GO 1st read above. But, in practical situation, such Multiplexes are coming up abutting major roads and the applicants who surrender valuable land for widening of roads at free of cost cannot utilize the additional floor area. Moreover, there is no provision to issue TDR certificates whenever the applicant comes forward for development of their sites. The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad has therefore, suggested that, the Government may consider relaxation of setbacks in case of applicants who have handed over valuable land of free of cost for road widening.

P.T.O

5. In order to evolve a general policy in respect of relaxation of setbacks in case of Multiplexes, where land is given by the applicant free of cost for road widening, a meeting was convened by Principal Secretary to Government (Urban Development) with the Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad, the Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, Hyderabad, the Deputy Commissioner of Police (Traffic), Hyderabad, the Director of Town & Country Planning, Andhra Pradesh Hyderabad and the Director General, Fire Services and discussed the issue, And during the meeting among the other things the officers have suggested that grant of Transferable Development Right or concession of setbacks (except front setback) for upper floors above Ground & First floor may be allowed in case of Multiplexes where the applicants have handed over the land for road widening free of cost.

6. After careful examination of the matter, the Government decided to accept the recommendations made by the Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad, and suggestions made by the Director of Town & Country Planning, Andhra Pradesh Hyderabad, the Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, Hyderabad, the Director General, Fire Service and Deputy Commissioner of Police (Traffic), Hyderabad.

7. Accordingly, the following notification shall be published in the Andhra Pradesh Gazette.

NOTIFICATION

In exercise of the Powers conferred by section 58 of the Andhra Pradesh Urban Areas (Development) Act, 1975, section 585 of the Hyderabad Municipal Corporation Act, 1955, section 44 (2) (v) of the Andhra Pradesh Town Planning Act, 1920, section 326 (1) of the Andhra Pradesh Municipalities Act, 1965 and section 125 of Andhra Pradesh Panchayati Raj Act, 1994, the Government of Andhra Pradesh hereby makes the following Amendments to the Andhra Pradesh Rules for Construction and Regulation of multiplex complexes, 2007 issued in G.O.Ms.No.486, MA&UD (M1) Department, Dated: 07.07.2007.

AMENDMENT

After the rule 7.3 (b) of the said rules, the following shall be added namely,

- (i) However, where any land or site or premises for building is affected in the Statutory Plan / Master Plan Road or Circulation network or a road required to be widened as per Road Development Plan, such area so affected in the road or circulation network shall be surrendered free of cost to the Sanctioning authority by the owner of land. No development permission shall be given unless this condition is complied with.

- (ii) Upon surrendering such affected area, the owner of the site would be entitled to Transferable Development Rights, as given in rule 17 of the Andhra Pradesh Building Rules, 2012 or the owner shall be allowed to avail the following concessions in setbacks except front setback.
- (1) In case of Front Setback, no concession shall be given and Front Setback should be maintained as per these rules issued in G.O.Ms.No.486, MA&UD (M1) Department, Dated 07.07.2007.
 - (2) Concession of Setbacks in remaining three sides may be is allowed for Upper floors above Ground & First Floor of the building onwards with a maximum concession upto 2.00 meters, subject to maintaining minimum required Setback in Ground & First floor as per the rules prescribed in Multiplex rules, issued in G.O.Ms.No.486 MA&UD (M1) Department, Dated 07.07.2007, subject to maintaining a minimum Setback of 7meters for Upper floors above ground and First floor and such minimum setback area shall be clear without any obstructions to facilitate movement or fire fighting vehicles and effective fire fighting operation.
 - (3) The extent of concessions given shall be such that the total built up area after concession shall not exceed the sum of built up area allowed (as proposed) on total area without road widening and built up area equivalent to surrendered area.
 - (4) The above concessions shall be considered at the level of Sanctioning Authority / Competent Authority.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. S.K. JOSHI
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner, Printing, Stationery & Stores Purchase
Department, Hyderabad for Publication of the notification in the
A.P. Gazettee and furnish 500 copies.
The Commissioner & Director of Municipal Administration,
A.P, Hyderabad,
The Director of Town & Country Planning, A.P. Hyderabad,
The Commissioner,
Greater Hyderabad Municipal Corporation,
Hyderabad,
The Metropolitan Commissioner,
Hyderabad Metropolitan Development Authority,
Hyderabad,
All Vice Chairmen of Urban Development Authorities,

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The Commissioners of all Municipal Corporations/ Municipalities and Nagar Panchayats in the State, through Commissioner & Director of Municipal Administration, Hyderabad

The Chairman & Managing Director, APTRANSCO, AP, Hyderabad,
The Commissioner & Inspector General of Registration & Stamps,
A.P Hyderabad.

The Managing Director, Hyderabad Metro Water Supply & Sewerage, Hyderabad.

The Director General of State Disaster Response and Fire Services,
Andhra Pradesh

The Engineer in Chief (Public Health) Hyderabad

The Managing Director, AP Housing Board, Hyderabad

The Commissioner of Police (Traffic), Hyderabad

All District Collectors in the State

The Managing Director,

Andhra Pradesh Industrial Infrastructure Corporation Limited,
Hyderabad

The Member Secretary,
Andhra Pradesh Pollution Control Board,
Hyderabad

The Airport Authority of India,
Begumpet, Hyderabad

Copy to:

The Home (Fire Services) Department

The PR&RD Dept.

The PS to Secretary to CM / The P.S. to M (M.A).

The P.S. to Principal Secretary to Government, MA & UD Dept.

The Law (A) Department

SF/SC

//FORWARDED :: BY ORDER //

SECTION OFFICER